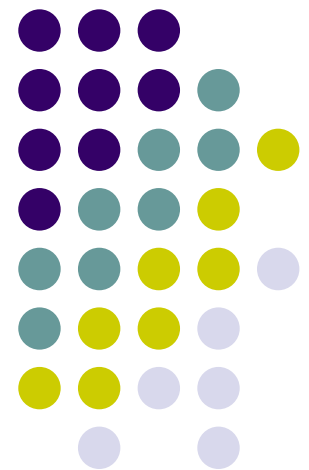


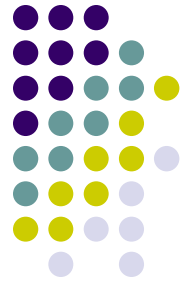
Impaired Driving Trends in Wisconsin

May 28, 2009

North Central Technical
College - Wausau



www.law.wisc.edu/rcid/

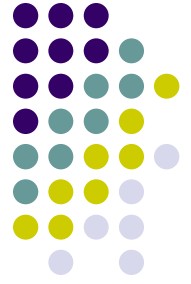


- Nina J. Emerson
- Director, Resource Center on Impaired Driving
- University of Wisconsin Law School
- (800) 862-1048
- ninaj@wisc.edu

Resource Center on Impaired Driving



- Represents the combined efforts
- Wis-DOT and the U.W. Law School
- Serve the state in the tradition of “The Wisconsin Idea”
- Creates a partnership between state government & university to address an issue of statewide importance...

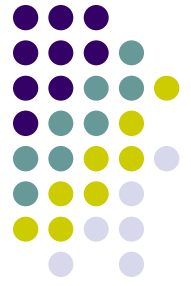


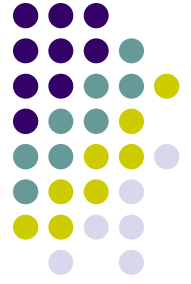
...Impaired Driving

- Includes alcohol, controlled substances, and other drugs—both legal & illegal
- Impair one's ability to operate/drive a motor vehicle



Two *Legal* Behaviors



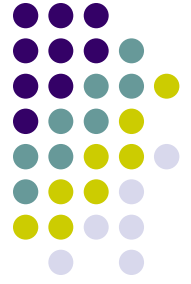


Certain Legal Constraints

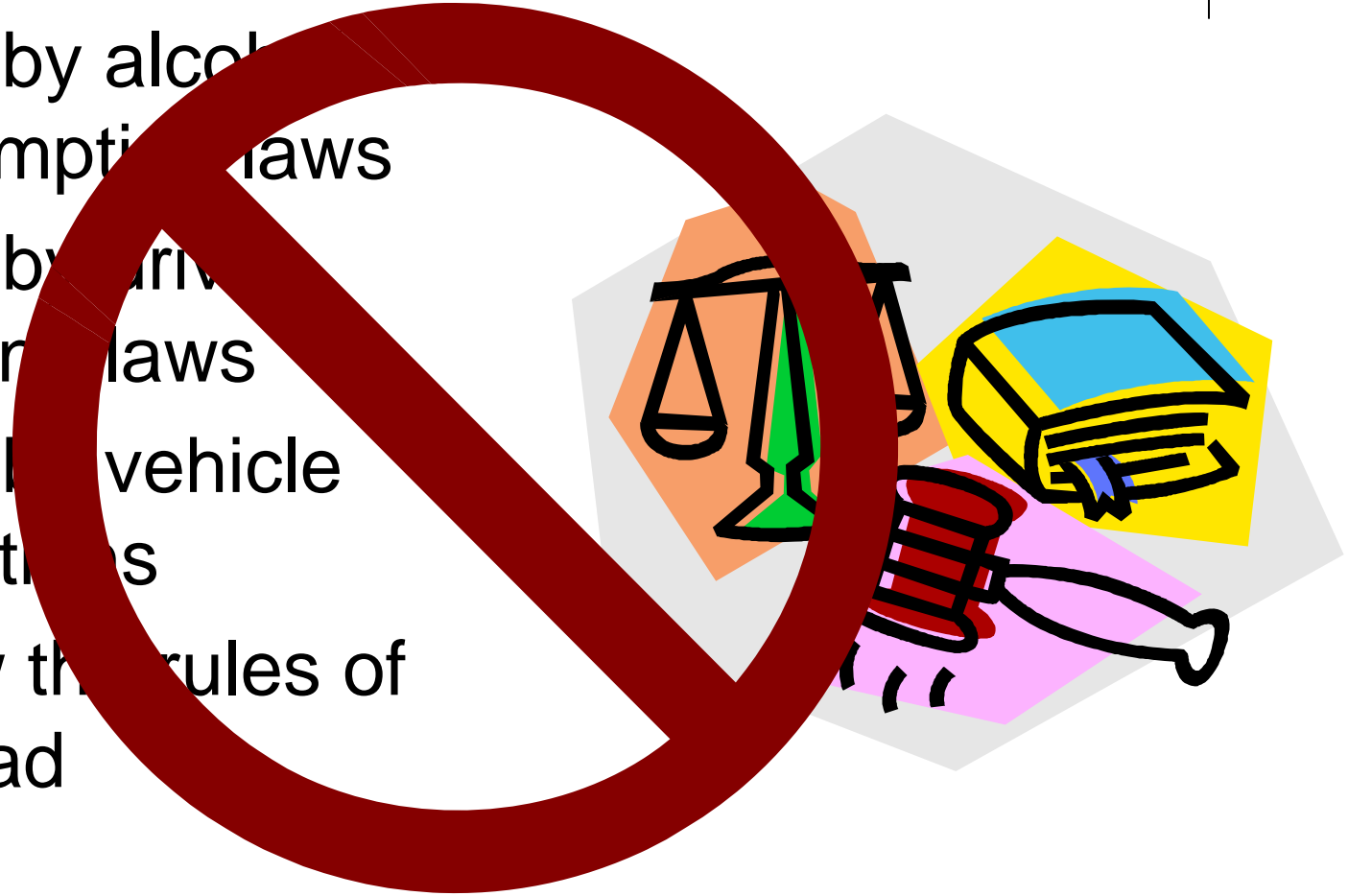
- Abide by alcohol consumption laws
- Abide by driver licensing laws
- Abide by vehicle regulations
- Follow the rules of the road



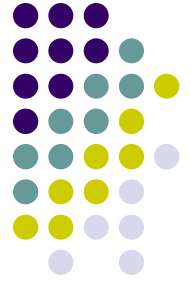
Drunk Driving Ignores Legal Restraints



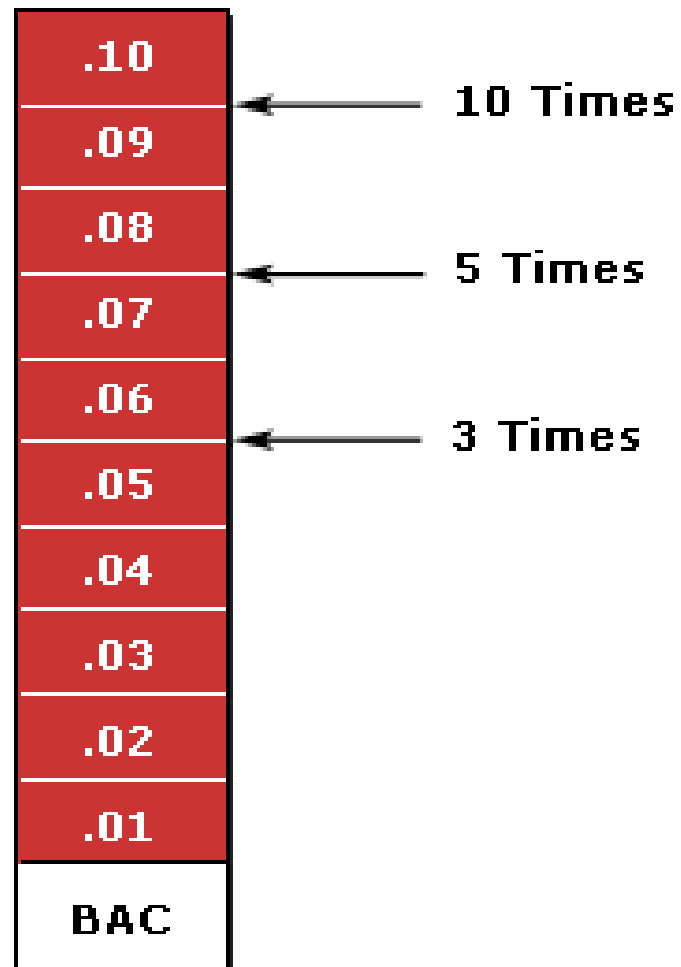
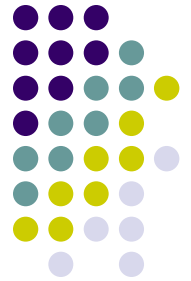
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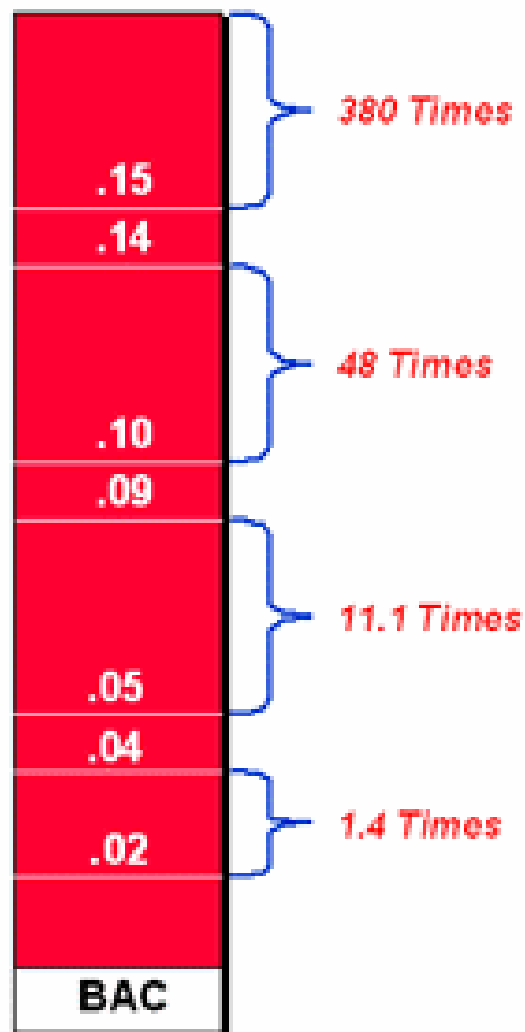
Known Consequences



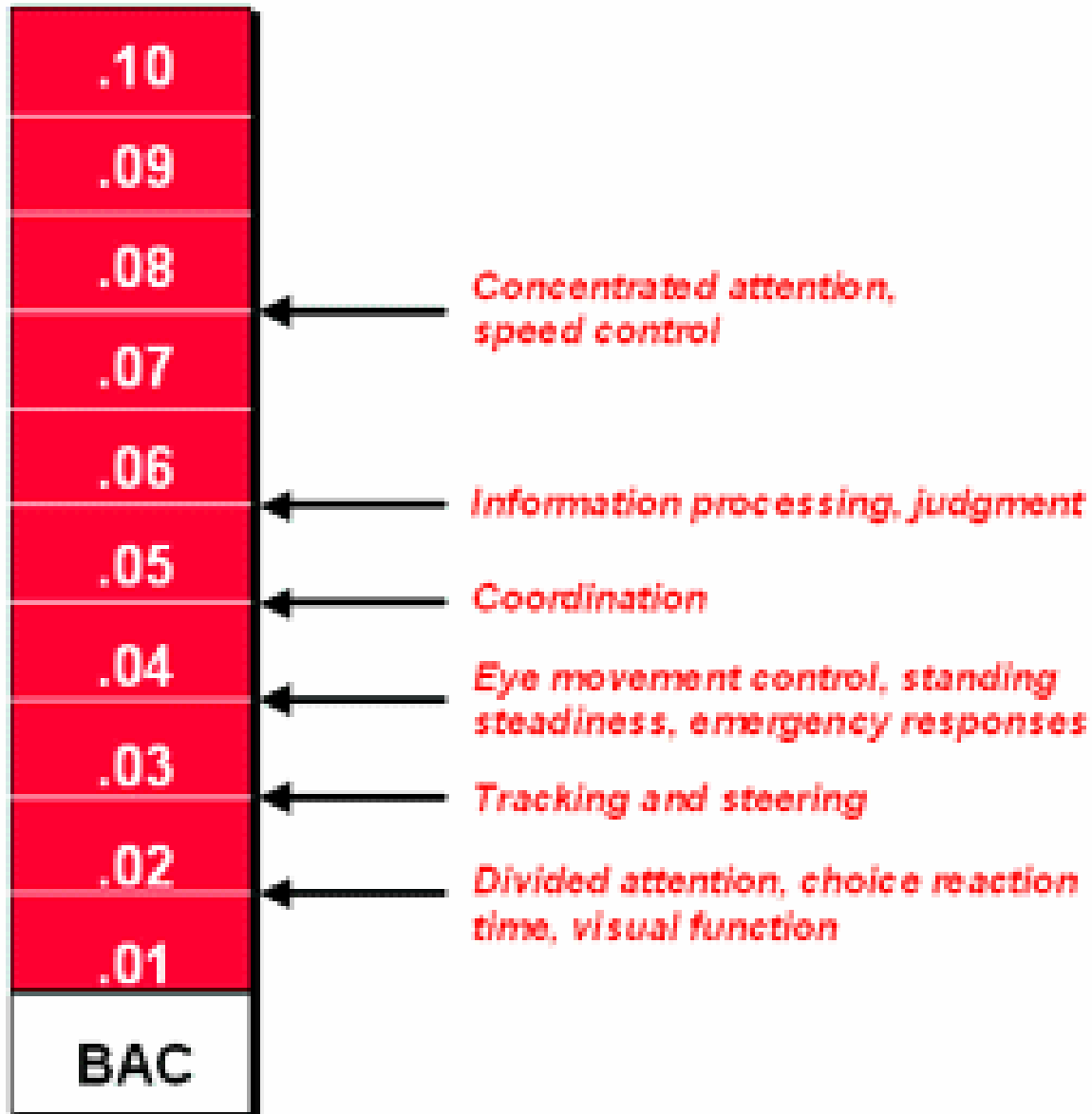
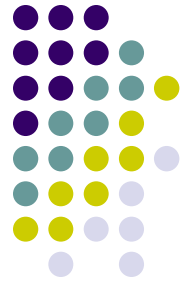
BAC and Fatal Crash Risk (Zador, 1989)



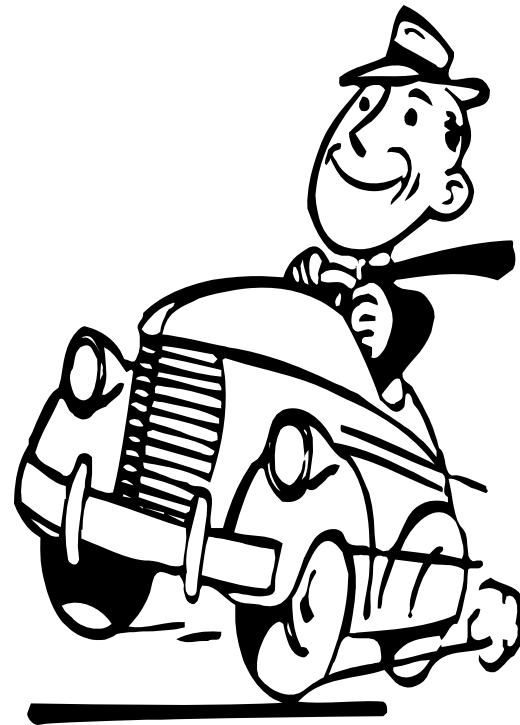
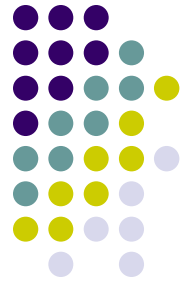
*Relative Fatality Risk for Drivers
in Single Vehicle Crashes by BAC
(Zador, IIHS, 1991)*

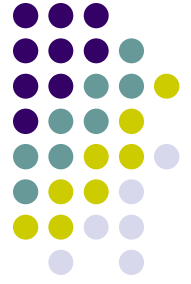


BAC and Impairment



How do we get people to obey the law or reduce consequences if they don't?

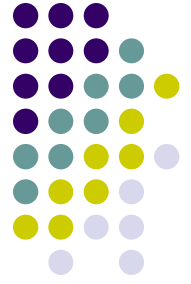




Possible Responses

- Deterrence based countermeasures
- Alcohol based countermeasures
- Transportation based countermeasures
- Environmental based countermeasures

The Legal System



- Enact laws to prohibit the undesirable behavior
- Enforce the laws
- Prosecute & punish offenders
- Must be a perceived risk of apprehension



The Laws in Wisconsin



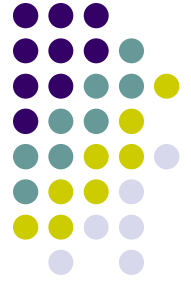
- First offense OWI = civil forfeiture
- 2nd – 4th = misdemeanors
- Felony on 5th offense
- Prohibits sobriety checkpoints (1 of 12 states)

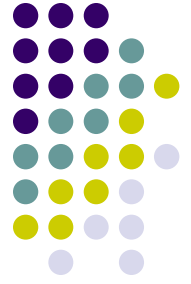


Wisconsin OWI Penalties

- First offense: \$150 - \$300 forfeiture
- Second – fourth offense: \$350 - \$2,000 fine (misdemeanor) 5 days – 1 Year jail
- Fifth & subsequent: \$600 - \$25,000 fine (felony classification) 6 mos. – 12 yrs. Prison
- License revocation 6 mos - 3 yrs.
- 6 demerit points

Did the OWI offender miss the bullet this time?

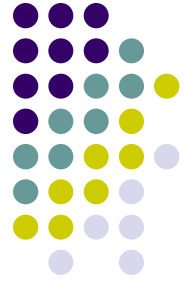




2003-04 Homicide by OWI

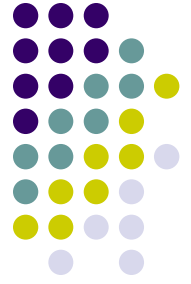
- 40 total cases
 - **26 Class D Felonies** = Prison up to 25 yrs or fine up to \$100,000 or both
 - **8 Class C Felonies*** = Prison up to 40 yrs or fine up to \$100,000 or both
 - **6 Class B Felonies** = (Offense date prior to 2/1/03) Prison up to 60 years
- * *Due to 1 or more prior OWI convictions*

2006-2008 Homicide by OWI



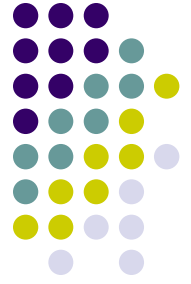
- 86 total cases
- **49 had no prior OWI conviction on record**
- 22 had 1 prior OWI
- 7 had 2 prior OWIs
- 7 had 3 prior OWIs
- 1 person had 4 or more prior OWIs

Alcohol Based Countermeasures



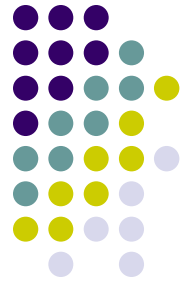
- Drunk Driving can be reduced by reducing the amount of alcohol consumed
- A decline in consumption = decline in AC = reduction in crash risk

Alcohol Based Countermeasures



- Access
- Availability
- Service
- Price Control
- Advertising



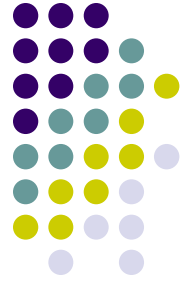


Alcohol Availability

- The greater the number of outlets, the greater the consumption
- In Wisconsin: 1 outlet for every 372 people
- Nationally: 1 per 1,434 people

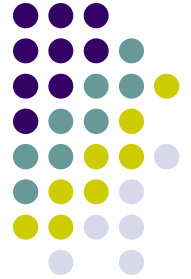


Price Controls

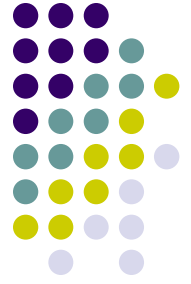


- Liquor is taxed at \$3.25 per gallon
- Rank 11th highest in consumption
- Wine is taxed between 25-45 cents per gallon
- Rank 27th highest in consumption

Price Controls

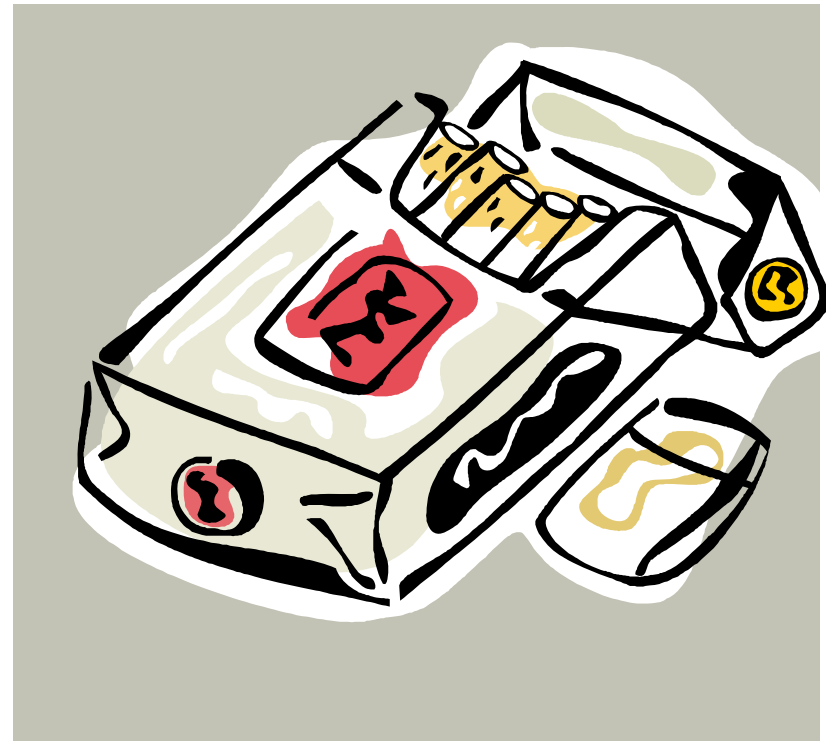


- Price increases through taxation *can* reduce consumption
- Wisconsin has the third lowest beer tax in the nation @ 6.5 cents/gallon
- This tax has not been raised since its inception in 1969
- Wyoming is lowest @ 2 cents/gallon

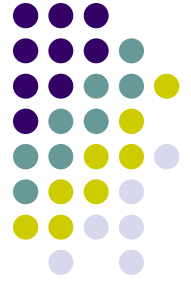


Compare

- Cigarettes are taxed at \$1.77 per pack of 20
- First imposed in 1939 at 2 cents per pack
- Raised 7 times since 1980



Possible consequences...



Best outcome...

